

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

IN THE MATTER OF:

CASE NUMBER: 13-30975-HCM

**THOMAS JOHN CROWELL  
VICTORIA AUSTIN CROWELL**

CHAPTER 7 LIQUIDATION

Debtor

MOTION FOR ORDER DISMISSING CASE  
FOR FAILURE TO APPEAR AT §341 MEETING

**THIS PLEADING REQUESTS RELIEF WHICH MAY BE ADVERSE TO YOUR INTEREST.**

**IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD. A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.**

**TO THE HONORABLE H. CHRISTOPHER MOTT, UNITED STATES BANKRUPTCY JUDGE:**

**NOW INTO COURT**, comes J. Marshall Miller, Chapter 7 Trustee in the above captioned matter, who moves the Court for an order dismissing the above captioned case for the following reasons, to-wit:

1.

The petition for relief in this proceeding was filed on June 14, 2013 under Chapter 7 of the United States Bankruptcy Code and mover was duly appointed as the bankruptcy trustee of this matter.

2.

The §341 meeting of creditors was scheduled for July 22, 2013, but Debtor failed to appear. The meeting was reset to August 30, 2013 at which time the debtors again failed to

appear. At subsequent resets of August 9, 2013 and August 30, 2013, debtors again failed to appear, and, at the August 30th meeting date, their attorney announced that they would not appear because they no longer desired to be in bankruptcy.

3.

Pursuant to 11 U.S.C. § 343, the Debtor shall appear and submit to examination under oath at the meeting of creditors. The Debtor attendance at the meeting of creditors is mandatory. *In re Martin*, 12 B.R. 319 (SD Al. 1981).

4.

Debtor failure to appear at the meeting of creditors constitutes cause for dismissal of the above captioned case under 11 U.S.C. §707(a).

**WHEREFORE**, J. Marshall Miller, Trustee, prays that after notice and hearing, if necessary, this Honorable Court dismiss this case.

Respectfully submitted,

/s/ J. Marshall Miller

**J. Marshall Miller**  
1519 Montana Ave  
El Paso, TX 79902  
(915) 842-8201  
marshall\_miller@att.net  
Chapter 7 Trustee

#### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was mailed to: **Debtors, Attorney for Debtors** and the **United States Trustee**, and to all creditors and parties in interest pursuant to the attached Matrix on the 9th day of September, 2013.

/s/ J/ Marshall Miller  
J. Marshall Miller

Label Matrix for local noticing  
0542-3  
Case 13-30975-hcm  
Western District of Texas  
El Paso  
Mon Sep 9 11:54:16 CDT 2013

Bank Of America, N.a.  
450 American St  
Simi Valley, CA 93065-6285

Chase  
P.O. Box 15298  
Wilmington, DE 19850-5298

City of El Paso  
El Paso Tax Assessor/Collector  
PO Box 2992  
El Paso, TX 79999-2992

Enhanced Recovery Corp  
Attention: Client Services  
8014 Bayberry Rd  
Jacksonville, FL 32256-7412

Gemb/care Credit  
Attn: bankruptcy  
PO Box 103104  
Roswell, GA 30076-9104

U.S. Attorney  
PHZ/HUD/VA/IRS  
601 N.W. Loop 410, Suite 600  
San Antonio, TX 78216-5512

Untd Res Sys  
10075 W Colfax Ave  
Lakewood, CO 80215-3907

Verizon  
PO Box 3037  
Bloomington, IL 61702-3037

Thomas John Crowell  
12476 Robert Dahl Dr.  
El Paso, TX 79938-7743

U.S. BANKRUPTCY COURT  
511 E. San Antonio Ave., Rm. 444  
EL PASO, TX 79901-2415

Bass & Associates  
3936 E Fort Lowell Road  
Tucson, AZ 85712-1083

Chela/Sallie Mae  
Attn: Claims Department  
PO Box 9500  
Wilkes-Barre, PA 18773-9500

(p)DIRECTV LLC  
ATTN BANKRUPTCIES  
PO BOX 6550  
GREENWOOD VILLAGE CO 80155-6550

Firstlight Federal Cu  
Attn: Collections  
PO Box 25901  
El Paso, TX 79914

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

United Consumer Financial Services  
865 Bassett Rd  
Westlake, OH 44145-1194

Us Dept Of Ed/glelsi  
Po Box 7860  
Madison, WI 53707-7860

J. Marshall Miller  
1519 Montana Avenue  
El Paso, TX 79902-5619

Victoria Austin Crowell  
12476 Robert Dahl Dr.  
El Paso, TX 79938-7743

(p)BANK OF AMERICA  
PO BOX 982238  
EL PASO TX 79998-2238

(p)BETA FINANCE CO INC  
8450 BROADWAY  
MERRILLVILLE IN 46410-6221

(p)CITIBANK  
PO BOX 790034  
ST LOUIS MO 63179-0034

El Paso Tax Assessor Collector  
c/o Linebarger, Goggan Blair et al  
711 Navarro, Ste. 200  
San Antonio, TX 78205-1711

GC Services Limited Partnership  
Dept. HOVS 023  
PO Box 3044  
Livonia, MI 48151-3044

(p)SPRINT NEXTEL CORRESPONDENCE  
ATTN BANKRUPTCY DEPT  
PO BOX 7949  
OVERLAND PARK KS 66207-0949

United States Trustee - EP12  
U.S. Trustee's Office  
615 E. Houston, Suite 533  
P.O. Box 1539  
San Antonio, TX 78295-1539

Usdoe/glelsi  
2401 International  
Madison, WI 53704-3121

Karla Patricia Martinez  
Watson Law Firm  
1123 Rio Grande  
El Paso, TX 79902-4618